



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GENAPP.002RA

(020728.0101PTUS)

PATENT

Applicant : T. Venkat Gopal ) Group Art Unit: 1636  
Reissue Appl. : 09/404,979 )  
Filed : September 22, 1999 ) Supplemental Declaration  
For : PEPTIDE-MEDIATED ) for Reissue Application  
GENE TRANSFER ) Under 37 C.F.R. § 1.175(b)(1)  
Examiner: McKelvey, T. )

Honorable Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

I, as named inventor, declare as follows:

1. I am a citizen of the United States. My residence and post address are 14624 Boat House Way, North Potomac, MD 20878.
2. I believe that I am the original, first and sole inventor of the subject matter described and claimed in U.S. Patent No. 5,670,347, issued Sep. 23, 1997, and of the subject matter disclosed and claimed in the pending reissue application 09/404,979.
3. I have reviewed and understand the contents of the specification and claims as amended of the pending reissue application, including the amendment filed herewith.
4. I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

5. On information and belief, U.S. Patent No. 5,670,347 is partially inoperable by reason of a defective specification or by reason of claiming less than I had a right to claim.

6. Specifically, the defect in the specification resides in several sequence listing errors occurring in Table 1 of the specification. The sequences in error are shown below, with the incorrect amino acids underlined.

SEQ ID NO:14	K--A--K--R-- <u>S--K--A</u>
SEQ ID NO:20	R--Q--R--R--N--E--L--K-- <u>4</u> --S--F
SEQ ID NO:29	P--R-- <u>3</u> --S--G--K--K--R--K--R--K--R--L--K--P--T
SEQ ID NO:34	P--L--L--K--K--I-- <u>I</u> --Q
SEQ ID NO:49	K--T--K--Y--G--S--D--T--E--I--K--L-- <u>L</u> --S--K
SEQ ID NO:51	M-- <u>3</u> --Y--N--A--I--L--R--R--K--L--E--E--D--L--E

7. However, by comparing the contents of Table 1 to the source documents of Garcia-Bustos, J. et al., and Raikhel, N., cited at col. 5, L. 38-39 in U.S. patent No. 5,670,347, and incorporated by reference, it is clear that the listed sequences contain inaccuracies. One of skill in the art would recognize the inaccuracies and be able to immediately determine the correct sequence from the cited source documents. The correct sequences are shown below, with the corrected amino acids underlined.

SEQ ID NO:14	K--A--K--R-- <u>Q</u> --R
SEQ ID NO:20	R--Q--R--R--N--E--L--K-- <u>R</u> --S--F
SEQ ID NO:29	P--R-- <u>E</u> --S--G--K--K--R--K--R--K--R--L--K--P--T
SEQ ID NO:34	P--L--L--K--K--I-- <u>K</u> --Q
SEQ ID NO:49	K--T--K--Y--G-- <u>S</u> --D--T--E--I--K--L-- <u>K</u> --S--K
SEQ ID NO:51	M-- <u>E</u> --Y--N--A--I--L--R--R--K--L--E--E--D--L--E

8. The errors listed above were also incorporated into the original sequence listing filed with the 5,670,347 patent.

9. Two additional errors are found in the original sequence listing filed with the 5,670,347 patent. Specifically, SEQ ID NO:9 and SEQ ID NO:46 are incorrectly listed in the original sequence listing. These two sequences were correctly listed in Table 1.

10. The sequence disclosed in the sequence listing filed with the 5,670,347 patent incorrectly lists amino acid #2 of SEQ ID NO:9 as “met” (methionine, M), rather than the correct amino acid “asn” (asparagine, N). Although incorrectly listed in the submitted sequence listing, SEQ ID NO:9 is correctly identified in Table 1 (SEQ ID NO:9: P--N--K--K--K--R--K).

11. The sequence disclosed in the sequence listing filed with the 5,670,347 patent incorrectly lists SEQ ID NO:46 as K--K--N--Q--K--H--K--L--K--M--K--R--K. The sequence is correctly identified in Table 1 as K--K--N--Q--K--H--K--L--K--M--32aa--K--R--K. The sequence disclosed in the sequence listing does not list the 32 amino acids #11 through #43. These amino

acids were not specified as to type of amino acid in the original document, however, their location in the sequence was specified. Hence, the location of the 32 unspecified amino acids should be indicated in sequence listing.

12. The remaining sequence errors found in Table 1, specifically SEQ ID NO: 13 and SEQ ID NO: 30, are addressed in my oath of 10/14/04.

13. Every error in the patent which was corrected in the present reissue application, and is not covered by a prior oath/declaration submitted in this application, arose without any deceptive intention on the part of the applicant.

14. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application of patent issuing therefrom.

Dated: 8/3/05

By: T. Venkat Gopal  
T. Venkat Gopal